

**REGULAR SESSION AUGUST 1, 2016**

This day the Board of Morrow County Commissioners met in their office at 80 North Walnut St., Ste. A, Mt. Gilead, Ohio with the following members present: Mr. Miller, Mr. Whiston and Mr. Leader.

Public in attendance: Alberta Stojkovic, Morrow County Sentinel and Burgess Castle.

The meeting was opened with prayer and pledge of allegiance to the flag, and then called to order by Mr. Miller, who then proceeded with the business at hand. The following matters came before the Board for their consideration and approval.

**IN THE MATTER OF  
APPROVAL OF THE MINUTES  
OF REGULAR SESSION OF JULY 27, 2016: 16-R-486**

Mr. Leader made a motion to approve the minutes of regular session of July 27, 2016, as recorded in the Commissioners Journal # 46.

Mr. Whiston duly seconded this motion

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller..., “yea”

**IN THE MATTER OF  
PAY-INS: 16-R-487**

The following pay-ins were made to Patricia K. Davies, Morrow County Auditor:

Pay-in # 3313 Payment from Ketterman residents for sewer maintenance and operations 121-121-40100 \$40.62

Pay-in # 3314 Ketterman – City of Galion portion 121-121-40300 \$126.90

Pay-in # 3315 Payment from Johnsville residents for sewer debt reserve portion 100-101-20100 \$131.88

Pay-in # 3316 Johnsville sewer maintenance and operations portion 100-101-40100 \$565.97

Pay-in # 3317 Johnsville sewer debt retirement portion 100-101-50100 \$377.15

Pay-in # 3318 Payment from Chesterville residents for sewer debt reserve portion 159-159-20100 \$44.80

Pay-in # 3319 Chesterville sewer maintenance and operations portion 159-159-40100 \$115.20

Pay-in # 3320 Chesterville sewer debt retirement portion 159-159-50100 \$147.20

Pay-in # 3321 Chesterville sewer asset management portion 159-159-50200 \$12.80

Pay-in #3333 Payment from Development Office for water/sewer admin for 1<sup>st</sup> quarter 2016 450-450-30100 \$1,440.04

Pay-in # 3334 Payment from Johnsville residents for sewer debt reserve portion 100-101-20100 \$42.20

Pay-in # 3335 Johnsville sewer maintenance and operations portion 100-101-40100 \$181.80

Pay-in # 3336 Johnsville sewer debt retirement portion 100-101-50100 \$121.00

Pay-in # 3337 Payment from Chesterville residents for sewer debt reserve portion 159-159-20100 \$16.80

Pay-in # 3338 Chesterville sewer maintenance and operations portion 159-159-40100 \$43.20

Pay-in # 3339 Chesterville sewer debt retirement portion 159-159-50100 \$55.20

Pay-in # 3340 Chesterville sewer asset management portion 159-159-50200 \$4.80

Pay-in # 3343 Payment from Ketterman residents for sewer maintenance and operations 121-121-40100 \$13.54

Pay-in # 3344 Ketterman – City of Galion portion 121-121-40300 \$42.30

Pay-in # 3345 Payment from Morrow County Services for Older Citizens for insurance premium 222-222-08777 \$670.11

**IN THE MATTER OF  
TRANSFER OF FUNDS – GENERAL FUND, COMMON PLEAS  
DEPARTMENT 145: 16-T-088**

At the request of Diana McLain, Fiscal Coordinator Morrow County Common Pleas Court, a motion was made by Mr. Whiston to approve the following transfer of funds:

From 001-145-01099 Salaries to 001-145-29100 PERS in the amount of \$5,000.00

Mr. Leader duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller..., “yea”

**IN THE MATTER OF  
TRANSFER OF FUNDS – GENERAL FUND, CHILD PLACEMENT COSTS: 16-T-089**

Mr. Leader made a motion to approve the following transfer of funds to cover child placement costs through June 2016:

From 001-033-06027 Admin/Cost Control W/Comp to 001-029-54321 Public Assistance Transfer In/Out in the amount of \$5,000.00

From 001-035-26013 Juvenile Housing to 001-029-54321 Public Assistance Transfer In/Out in the amount of \$10,000.00

From 001-017-29103 Capital Improvements to Public Assistance Transfer In/Out in the amount of \$2,425.61

From 001-029-54321 Public Assistance Transfer In/Out to 041-081-54321 Children Services Transfer In/Out in the amount of \$17,425.61

Mr. Whiston duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller..., “yea”

**IN THE MATTER OF  
APPROPRIATIONS OF UNAPPROPRIATED CERTIFIED MONIES -  
DEVELOPMENT FUND 143: 16-A-061**

At the request of Ike Hickman, Grant Specialist, Morrow County Development Office, a motion was made by Mr. Leader to appropriate from the unappropriated certified monies to the following account:

143-081-29027	Water Sewer RLF Adm Cost	\$406.58
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Mr. Whiston duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller..., “yea”

**IN THE MATTER OF  
APPROVAL OF LEGAL SERVICES AGREEMENT BETWEEN THE UNITED STATES  
DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT AND THE MORROW  
COUNTY BOARD OF COMMISSIONERS: 16-R-488**

Mr. Whiston made a motion to approve the following Legal Services Agreement between the United State Department of Agriculture Rural Development and the Morrow County Board of Commissioners as presented and approved by Charles S Howland, Morrow County Prosecutor.

**UNITED STATES DEPARTMENT OF AGRICULTURE  
Rural Development  
LEGAL SERVICES AGREEMENT**

This agreement made this 28<sup>th</sup> day of July 2016 between the Morrow County Board of Commissioners hereinafter referred to as “Owners,” and Charles S. Howland, attorney at law, of Morrow County Prosecutor’s Office, hereinafter referred to as “Attorney”:

**WHEREAS**, Owners have formed a county sewer district, a political subdivision, in Morrow County, Ohio, under the provisions of Ohio Revised Code 6117; and

**WHEREAS**, the Attorney agrees to perform all legal services necessary to organize and incorporate said sewer district under the provisions of said statutes and to perform all other customary legal services necessary to the organization, financing, construction, and initial operation of a central sewer district system;

WITNESSETH:

That for and in consideration of the mutual covenants and promises the parties hereto, it is hereby agreed:

SECTION A – LEGAL SERVICES

That the Attorney will perform such services as are necessary to accomplish the above recited objectives including, but not limited to, the following:

1. Preparation and filing of petition for incorporation and supervision and assistance in the taking of such other actions as may be necessary or incidental to cause the Owners to become duly organized and incorporated and to be authorized to undertake the proposed system.
2. Furnish advice and assistance to the governing body of the duly incorporated association in connection with (a) the notice for and conduct of meetings; (b) the preparation of minutes of meetings; (c) the preparation and enactments of such resolutions as may be necessary in connection with the authorization, financing, construction, and initial operation of the system; (d) the preparation of such affidavits, publication notices, ballots, reports, certifications, and other instruments and advice as may be necessary; (e) the preparation and completion of such bonds of other obligations as may be necessary to finance the system; (f) the completion and execution of documents for obtaining a loan made or insured or a grant made by the United States of America, acting through the Rural Development, U.S. Department of Agriculture; (g) entering into construction contracts; (h) preparation and adoption of By-laws, Rules and Regulations, and rate schedules; (i) such other corporate action as may be necessary in connection with the financing, construction, and initial operation of the system.
3. Review of construction contracts, bid-letting procedure, and surety and contractual bonds in connection therewith.
4. Preparation, negotiation, or review of contract with a city or other source of water supply when necessary.
5. Preparation, where necessary, and review of deeds, easements and other rights-of-way documents, and other instruments for sites for source of water supply, pumping stations, treatment plants, and other facilities necessary to the system and to provide continuous rights-of-way therefore; rendering title opinions with reference thereto; and providing the recordation thereof.
6. Obtain necessary permits and certificates from county and municipal bodies, from state regulatory agencies, and from other public or private sources with respect to the approval of the system, the construction and operation thereof, pipeline crossings, and the like.
7. Cooperate with the engineer employed by Owners in connection with preparation of tract sheets, easements, and other necessary title documents, construction contracts, water supply contracts, health permits, crossing permits, and other instruments.
8. When applicable, secure assistance of and cooperate with recognized bond counsel in the preparation of the documents necessary for the financing aspects of the system. The attorney shall pay all bond counsel in perfecting the financing aspects, e.g., assessment procedures and completion of documents. Where bond counsel is retained, the Attorney will not be responsible for the preparation and approval of those documents pertaining to the issuance of the owner's Obligations.

SECTION B – COMPENSATION

1. Owner will pay to the Attorney for professional services rendered in accordance herewith, fees as follows: \$0.00

SECTION C – OTHER PROVISIONS

1. That upon organization and incorporation the association shall by appropriate resolution adopt and ratify this Agreement, that the association shall be substituted for the

individual Owners as a party to this Agreement, and that the Owners as individuals shall thereupon be relieved of all personal liability existing of arising from this Agreement.

2. That upon organization and incorporation should the association fail or refuse to adopt and ratify this Agreement by appropriate resolution within -0- days from the date of the commencement of its legal existence, this Agreement shall terminate and Owners shall be liable to the Attorney for payment of \$ no charge, which sum represents payment in full for the organization and incorporation of the association and for all other legal services renders to the Owners under the terms of this Agreements to the date of said termination.

**Attorney:**

s/Charles S Howland  
Charles S. Howland, Prosecutor – Morrow County

**Owners:**

s/ Richard J. Miller  
Richard J. Miller, Morrow County Board of Commissioners

s/ Tom E. Whiston  
Tom E. Whiston, Morrow County Board of Commissioners

s/Dennis A. Leader  
Dennis A. Leader, Morrow County Board of Commissioners

Certify Resolution

I, Cheryl Heacock, Clerk of the Board of Commissioners of Morrow County, Ohio, do hereby certify that the foregoing Resolution of the Board of Commissioners of Morrow County, that the same has been compared by me with the Resolution on said record and that is a true and correct copy thereof.

s/Cheryl Heacock  
Cheryl Heacock, Clerk  
Morrow County Board of Commissioners

Passed: August 1, 2016

Mr. Miller duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller.., “yea”

**IN THE MATTER OF  
APPROVAL OF SPECIAL HAUL PERMIT FOR RICHS TOWING &  
SERVICE INC: 16-R-489**

**WHEREAS**, Randy Bush, Morrow County Engineer, requested the Board of Commissioners for approval of a special haul permit for Richs Towing & Service Inc, 20529 First Avenue, Cleveland, Ohio 44130. The permit allows for the moving of a Komatsu PC 260 Excavator, net load 94,000, beginning August 1, 2016. Movement to be made from State Route 19 and County Road 29 to 5000 W. Point, Bellville Road; and

**WHEREAS**, the Board of Commissioners received the request on July 28, 2016, and the next session of the Board of Commissioners was not until today, August 1, 2016;

**THEREFORE**, Mr. Whiston made a motion to approve the special haul permit, which was approved by Randy Bush, Morrow County Engineer on July 28, 2016.

Mr. Leader duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller.., “yea”

**IN THE MATTER OF  
APPROVAL TO ACCEPT PROPOSAL FROM MIKE WILLIAMSON TERRAIN  
EVOLUTION FOR SURVEYING ON US 42 AND HOME ROAD: 16-R-490**

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**WHEREAS**, Shane Farnsworth, Economic Development Director requested the Board of Commissioners to approve the proposal from Mike Williamson of Terrain Evolution. This proposal is for the Topographic Survey of US 42 and Home Road.

**WHEREAS**, the following is the scope of the surveying services:

**Scope of Services – Topographic Survey**

Project coordination by a Professional Surveyor

Survey will be referenced to State Plane Coordinates Ohio North Zone, NAD83 (2011) with NAVD 1988 vertical datum.

Boundary lines defined within the area of the proposed development.

Set a minimum of four (4) control points with horizontal and vertical values.

Set a minimum of three (3) benchmarks.

Topographic survey including ground elevations, location of building at the southwesterly corner of the development, entrance drive off US 42, ditches, paved areas, utilities, and other visible features.

Trees 12” or larger in open areas will be located. In heavily wooded areas, only the perimeter of tree lines will be located.

OUPS will be contacted. A SUE Level C/D will be performed only showing observable evidence and record plan information.

AutoCAD drawing with contours at one (1) foot intervals; and

**WHEREAS**, the base fee for this service/proposal is \$7,000; and

**WHEREAS**, the Board of Commissioners have reviewed the proposal and after reviewing the proposal, will accept and proceed with Terrain Evolution.

**THEREFORE**, Mr. Miller made a motion to approve accepting the proposal from Terrain Evolution, Inc. at a cost of \$7,000.00 to be paid from Morrow County Transportation Collaborative funds.

Mr. Leader duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller.., “yea”

**IN THE MATTER OF  
APPROVAL OF PROPOSAL FROM JIM BRUCKER AND ASSOCIATE  
ARCHITECTURE FOR MORROW COUNTY TRANSPORTATION  
COLLABORATIVE RELOCATION TO YOUNG AVENUE: 16-R-**

Mr. Miller made a motion to approve the proposal from Jim Brucker and Associate Architecture for Morrow County Transportation Collaborative Relocation to Young Avenue as presented.

**Project Scope:**

This project is to include design, contract drawings, and contract administration. The following basic services will be provided:

Design phase:

1. Floor Plan drawings
2. Elevations
3. Site Plan

Permit and Bid Drawings:

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1. Project and code information
  2. Floor plan including offices and garage
  3. Exterior elevations
  4. Typical building section
  5. Plumbing, Mechanical and Electrical drawings
  6. Site plan

Revisions to plans

2 revisions to the design drawings are included in the price.  
Weekly site visits are included

Terms

We will provide the above Basic Services for 6.75% of construction cost maximum. The design is based on the design approved by the Morrow County Commissioners and Job and Family Services. The permit fees are not included in the price quoted. Reimbursable expenses, if any will be reimbursed at 10% over cost for toll calls, courier service, direct photography costs, travel expenses, photocopies blueprints and other project support costs. Consultants other than electrical, mechanical and structural will be considered a reimbursable expense. We will provide 3 sets of prints to the owner.

Mr. Leader duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller.., “yea”

**IN THE MATTER OF  
TRANSFER OF FUNDS, GENERAL FUND, MUNICIPAL COURT DEPT 15: 16-T-090**

At the request of Municipal Court, a motion was made by Mr. Whiston to approve the following transfer of funds:

From 001-015-29065 Visiting Judges to 001-015-01099 Salary in the amount of \$1,917.60

Mr. Leader duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller.., “yea”

**IN THE MATTER OF  
APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN  
THE MORROW COUNTY COMMISSIONERS AND IT/GIS SPECIALIST  
SERVICES: 16-R-492**

Mr. Leader made a motion to approve the Memorandum of Understanding for IT/GIS Specialist services as presented.

**Memorandum of Understanding  
Between**

**Morrow County Common Pleas Court, Morrow County Auditor, Morrow County Prosecutor  
Attorney, Morrow County Treasurer, Morrow County Recorder, Morrow County Engineer,  
Morrow County Clerk of Courts, Morrow County Sheriff  
And Morrow County Board of County Commissioners**

**Agencies or Offices Cooperating:** Morrow County Common Pleas Court, Morrow County Auditor, Morrow County Prosecutor Attorney, Morrow County Treasurer, Morrow County Recorder, Morrow County Engineer, Morrow County Clerk of Courts, Morrow County Sheriff and Morrow County Board of Commissioners.

**Purpose for Memorandum of Understanding:** Offices located on the campus comprising the Morrow County Courthouse, Morrow County Prosecutor’s Office, the Morrow County Engineer’s Office, Morrow County Clerk of Courts, the Morrow County Commissioner’s Office and other related and connected entities like the Morrow County Sheriff need to employ an individual to assist in the purchasing, installation and maintenance of various technical systems, including, but not limited to, computers, phones, data basis, software, hardware, cell phones, video equipment and other electronic devices or systems necessary in the operation of County business.

Mr. Miller duly seconded this motion.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller.., “yea”

There being no further matters to bring before the board, a motion to adjourn was made by Mr. Miller and duly seconded by Mr. Leader.

Roll Call Vote: ..,Mr. Leader..., “yea” ..,Mr. Whiston..., “yea” .., Mr. Miller.., “yea”

We hereby certify the foregoing to be true and correct.

_____	_____
CHAIRMAN	
_____	_____
CLERK	
_____	_____
ASSISTANT CLERK	MORROW COUNTY COMMISSIONERS